

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JERRY L. McGLONE II,**

**Plaintiff,**

**v.**

**Case No. 2:13-cv-0347  
Judge Gregory L. Frost  
Magistrate Judge Abel**

**ROSS CORRECTIONAL INSTITUTION, et al.,**

**Defendants.**

**ORDER**

Plaintiff Jerry L. McGlone, an inmate at the Warren Correctional Institution, originally filed this prisoner civil rights action under 42 U.S.C. § 1983 as Case No. 1:13-cv-126 in the Western Division of this Court. On April 12, 2013, Magistrate Judge Stephanie Bowman severed Plaintiff's claims against defendants residing in the Eastern Division of this Court and ordered a new action to be filed in the Eastern Division to reflect that the action was pending only as against Defendants Ross Correctional Institution ("RCI"), Ross Correctional Camp, the Oakwood Mental Hospital, RCI correctional officer Mitchell, "Lt. Lumberger" at RCI, RCI physician Dr. Tedrick, and unnamed doctors at RCI. (ECF No. 10 at PageID# 43.) This matter is now before the Court on the Report and Recommendation of Magistrate Judge Mark R. Abel, who conducted an initial screen of the remaining claims pursuant to 28 U.S.C. § 1915A(a) and (b) and 42 U.S.C. § 1997e(c) to identify cognizable claims. (ECF No. 12.) In the Report and Recommendation filed on July 8, 2013, Magistrate Judge Abel found that Plaintiff's Complaint fails to state a claim upon which relief may be granted and therefore recommended dismissal of this action. (*Id.* at PageID# 48, 50.)

The Report and Recommendation specifically advises Plaintiff that the failure to object to the Report and Recommendation within fourteen days of the date of the Report (*i.e.*, July 8, 2013) results in a “waiver of the right to de novo review by the District Judge and waiver of the right to appeal the judgment of the District Court.” (ECF No. 12 at PageID# 51.) The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation. Accordingly, the Court **DISMISSES** Plaintiff’s Complaint for failure to state a claim upon which relief can be granted under 42 U.S.C. § 1983.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
**GREGORY L. FROST**  
**UNITED STATES DISTRICT JUDGE**